providing a signal corresponding to the coarseness of the monitored AEP signal, the coarseness of the signal being a measure increasing with amplitude and frequency of variations in the signal AEP; and

using said signal as said index indicative of anaesthetic depth.

7. (*Amended*) A method as claimed in claim 4, wherein for a moving time averaged sweep this measure is a function of the sum of the square roots of the difference between every two adjacent sample points in the time averaged sweep.

8. (*Amended*) A method of maintaining closed-loop control of an anaesthesia depth, the method comprising supplying a dosage of anaesthetic to a patient, calculating an anaesthetic depth index according to claim 1, and using the value of the anaesthetic depth index to regulate the anaesthetic supply to maintain the anaesthesia depth index at or near a predetermined level.

REMARKS

Upon entry of this amendment, claims 1-4 and 7-18 are pending. By the present amendment, claim 19 has been canceled without prejudice, and claims 1, 7 and 8 have been amended for clarity.

The rejection of claims 7, 8 and 10 under 35 U.S.C. §112, second paragraph is respectfully traversed. It is noted that there appears to by a typographical error in the